



Date: February 7, 2012

To: Thomas J. Bonfield, City Manager

Through: Theodore L. Voorhees, Deputy City Manager

From: Donald F. Greeley, Director, Water Management

Joel V. Reitzer, Director, General Services Department

Jerry Morrone, Engineering Supervisor, Water Management

David Fleischer, Acting Real Estate Manager, General Services

James E. Harding, CE IV, Water Management

Subject: Proposed Property Acquisition with Duke University for the Permanent Waterline and Temporary Construction Easements, Hillandale Dual Waterline Replacement - Phase II Project

Executive Summary:

The Hillandale Dual Waterline Replacement - Phase II Project consists of installing a 36" transmission line to replace two older transmission lines along West Main Street between Rutherford Street and Peabody Street. As West Main Street goes over Campus Drive, it is necessary for the waterline to exit the right-of way (ROW) to go around the existing bridge. The new transmission line will be installed within a permanent utility easement on Duke University's East Campus. Duke University has agreed to provide the City with a 0.32 acre permanent easement and a 0.10 acre temporary easement, and has signed the Option to Purchase.

Recommendations:

The General Services Department and the Department of Water Management recommend the City Council authorize the City Manager to execute the Option to Purchase and to acquire a 0.32 acre permanent easement and a 0.10 acre temporary easement on Duke's East Campus for the Hillandale Dual Waterline Replacement-Phase II Project.

Background:

The Department of Water Management is installing a 36" water transmission line to replace portions of two older transmission lines. The project was identified in a 2002 City-wide Water Distribution Study. Recently, the City completed Phase I of the project by replacing portions of these two older lines from the Williams Water Treatment Plant, to Rutherford Street, near West Main Street. Phase II of the project will start near the Rutherford Street/West Main Street intersection and end on West Main Street, near Peabody Street. In the area of Campus Drive, the line will exit the ROW and be installed in a 30' wide permanent utility easement on Duke University's East Campus.

For several years, North Carolina Department of Transportation (NCDOT) has been planning and designing the replacement of the West Main Street Bridge, which carries traffic over Campus Drive. The replacement of this bridge is currently expected to begin in the summer of 2012. For the bridge replacement to occur, one of the initial tasks will be to remove the existing waterlines which are suspended from the bottom of the bridge. This cannot occur until a new replacement main is in place. NCDOT has worked for several years to find a suitable location for the relocated mains with no success. NCDOT new bridge standards do not allow waterlines to be attached to the new bridge structure. The land to the south of West Main Street is owned by North Carolina Railroad (NCRR) and the north is owned by Duke University. After evaluating many options Duke University ultimately agreed to grant the City easements to route the new line around the bridge on their property.

Issues and Analysis:

Water Management, with the assistance of General Services, has negotiated terms and conditions for the acquisition of the permanent and temporary easements on the Duke University property.

The path for the new waterline minimizes tree removal and damage to tree root areas. It also allows bridge construction to occur with no impact to the new line. With the easement in place the waterline replacement project can move forward allowing the existing lines to be decommissioned. This, in turn, will allow NCDOT to move forward with the bridge replacement project.

Alternatives:

Do not execute the agreement – If the City chooses not to execute the agreement then construction will not be able to proceed. The easement is required in order to route the new line around the Main Street- Campus Drive Bridge. This would allow the existing water lines on the bridge to be removed. The waterlines must be removed in order for the NCDOT bridge replacement project to proceed.

Financial Impacts:

The City Manager negotiated with senior leaders at Duke University to yield a no cost transaction for this project. Per City's agreement with NCDOT, NCDOT will reimburse the City with 50% of this cost (\$27,500).

SDBE SUMMARY:

This item was not reviewed by the Department of Equal Opportunity/Equity Assurance for compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

Attachments: Recorded Plat Map for Easements, PB 188, Pg 383, 1/18/2012
Option to Purchase, signed by Duke University, 11/18/2011